

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Po Box 4853 Trenton, NJ 08650-4853 (609) 587-6888 Standing Chapter 13 Trustee
In re: Scott D Stearns Naoko Stearns Debtor(s)



Order Filed on April 7, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 20-14541 / MBK

Hearing Date: 01/13/2021

Judge: Michael B. Kaplan

Chapter: 13

AMENDED ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: April 7, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 12/11/2020, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$40,262.29 PAID TO DATE

\$3,550.00 for 50 months beginning 2/1/2021

The balance of the plan shall be paid by the debtor(s) from non-exempt proceeds from the sale of Belize properties by 12/31/2021.

ORDERED that the case is confirmed with a calculated plan funding of \$217,762.29, which includes a minimum \$96,649.00 dividend to general unsecured creditors due to non-exempt equity in proper

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the Pre-Confirmation Certification of Compliance must be filed by 02/08/2021.

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor **and** file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

ORDERED as follows:

The Trustee has received non-exempt proceeds of \$24,762.29 and there remains \$96,649.00 in equity on the two Jacksonville, Florida properties.

The Trustee and the debtors reserve on the determination of the equity on the Belize properties. The debtors are to provide proof of equity on these properties and sell by 12/31/2021, with the Trustee to receive non-exempt proceeds.

In re:
Scott D Stearns
Naoko Stearns
Debtors

Case No. 20-14541-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Apr 08, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 10, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Scott D Stearns, Naoko Stearns, 8 Museum Way, #1609, Cambridge, MA 02141-1889

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 10, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 8, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor SWBC Mortgage Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Frank J Martone	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bky@martonelaw.com
Justin M Gillman	on behalf of Debtor Scott D Stearns ecf@gbclawgroup.com R47252@notify.bestcase.com,e4eaf5f23@maildrop.clio.com;jgillman@ecf.courtdrive.com
Justin M Gillman	on behalf of Joint Debtor Naoko Stearns ecf@gbclawgroup.com R47252@notify.bestcase.com,e4eaf5f23@maildrop.clio.com;jgillman@ecf.courtdrive.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Apr 08, 2021

Form ID: pdf903

Total Noticed: 1

Melissa N. Licker

on behalf of Creditor SWBC Mortgage Corporation NJ_ECF_Notices@mccalla.com mcallaecf@ecf.courtdrive.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7